

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**THE UNITED STATES LIFE
INSURANCE COMPANY IN THE CITY
OF NEW YORK,**

Plaintiff,

v.

**ROGER DOBROVODSKY, as Trustee of
EDU HOLDING TRUST D/T/D 3/22/2013,**

DAVID W. GARRISON,

ROBIN RISMILLER, and

JANE AND JOHN DOES 1-100,

Defendants.

Case No. 1:22-cv-00259-RP

PLAINTIFF’S MOTION TO AMEND ORDER TO DEPOSIT FUNDS

COMES NOW, Plaintiff The United States Life Insurance Company in the City of New York (“US Life”), by its undersigned attorneys, and hereby moves to amend the Court’s Order Granting Plaintiff’s Motion to Deposit Funds (Doc. 6) to reflect the correct deposit amount of **\$4,938,701.50, plus accrued interest** (the “Sum”), for deposit into the Court’s Registry. A proposed amended order is enclosed herewith. In support thereof, US Life states as follows:

1. The Sum represents the death benefit, plus interest as required by law, payable pursuant to US Life insurance policy number 3001548L issued to the late Carol Green (the “Policy”). Due to an outstanding loan on the Policy, the death benefit due under the Policy has been reduced to the Sum reflected herein.

2. US Life requests an Order to deposit the Sum because there exists actual or potential rival, adverse, and conflicting claims to the death benefit described above, and US Life is unable to discharge its admitted liability without exposure to multiple liability, multiple litigation, or both.

3. US Life now faces competing and inconsistent obligations with regard to the disposition of the death benefit payable under the Policy.

4. Upon receipt of the Sum, the Clerk of Court is requested to deposit the sum into the Disputed Ownership Fund (DOF) of the Court Registry Investment System (CRIS) until such time as the Court makes its order directing disbursement and distribution of these funds. A proposed order is enclosed herewith.

WHEREFORE, US Life respectfully requests that this Court enter the enclosed order amending the Court's Order Granting Plaintiff's Motion to Deposit Funds (Doc. 6), allowing US Life to deposit the Sum with the Clerk of the United States District Court for the Western District of Texas for deposit into the Disputed Ownership Fund (DOF) of the Court Registry Investment System (CRIS) until such time as the Court makes its order directing disbursement and distribution of these funds.

Dated: April 11, 2022

Respectfully submitted,

BRESSLER, AMERY & ROSS, P.C.

/s/ Donald R. Littlefield
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**Attorneys for Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing was served on Defendants on April 11, 2022 as follows:

VIA U.S. MAIL

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